

Amendatory Section:

WAC 230-30-030 Punch board and pull-tab quality control program -- Special inspections, defective devices, reimbursements, and fees. In order to ensure the integrity of punch boards and pull-tab series, the commission shall establish and maintain a quality control program. This program shall include a level of inspection and evaluation deemed necessary by commission staff to assure standards set forth in this title are met. The cost of administering this program shall be borne by licensed manufacturers. The quality control program shall include at least the following:

(1) Special inspections - the commission shall have the authority to select any punch board or pull-tab series, whether held by an operator, storage service, distributor, or manufacturer and to examine the quality and/or integrity of the punch board or pull-tab series in any manner, including punching out or pulling all chances remaining thereon. Manufacturers shall be responsible for reimbursing distributors or operators for unused games selected by the commission for quality control testing purposes. The reimbursement process shall be determined by commission policy. Manufacturers may be billed for the cost of quality control investigations which exceed forty hours of commission staff time.

(2) Defective punch boards or pull-tab series - each punch board or pull-tab series which is deemed to be defective or unplayable shall be treated as follows, based on the status of the game:

(a) No punch board or pull-tab series which has been opened, prepared for play, or placed out for play shall be returned to the distributor or manufacturer without commission approval. Upon discovery of a defect, the operator shall remove the board or series from play and notify the commission. The commission shall complete a quality control report which shall be used to return the board or series to the distributor or manufacturer; and

(b) Defective or recalled boards or series which have not yet been opened may be returned to the distributor or manufacturer without a quality control report.

(3) Credits or reimbursements for defective punch boards or pull-tab series:

(a) Manufacturers shall reimburse distributors or operators for the cost of a replacement board or series which comply with subsection (2) of this section;

(b) Manufacturers may, at their discretion, reimburse operators for only actual net losses resulting from the play of a board or series due to its defect; and

(c) Credits and reimbursements for defective punch boards or pull-tab series shall be handled as follows:

(i) All boards or series returned to a distributor or manufacturer shall be properly recorded on a credit memo in accordance with WAC 230-08-025; and

(ii) Reimbursements of actual net losses incurred from manufacturers to operators may be given through a credit memo to a distributor or a check to the operator. Adequate supporting documentation for all reimbursements must be retained by the manufacturer.

(4) Commission fees to recover costs for defective punch boards or pull-tab series - the commission may assess a fee not to exceed one hundred dollars for each defective punch board or pull-tab series sold to operators for which a quality control report is completed. In addition, this fee shall not be assessed beyond the fifth series of a particular form number with the same defect.

(5) Pull-tabs produced by any process that prints the pull-tab only at the time of sale to a player shall be required to meet the physical standards of WAC 230-30-103 (2) and 230-30-103 (3) except that the reference to winning and losing sheets shall not apply. Any pull-tab series transferred to a disc for utilization by a system that completes the manufacturing of pull-tabs at the point and time of sale must be fully randomized and encrypted so as to provide the same or functionally similar protections from fraud or collusion as provided by the standards established in WAC 230-30-050, 230-30-080, 230-30-102, 230-30-103, 230-30-104 or as imposed by WAC 230-12-316.